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Attorneys for Defendant SECRETARY OF
THE DEPARTMENT OF HOMELAND
SECURITY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

K.H., on behalf of himself and those similarly situated,) Case No. 15-cv-02740 JST
Plaintiff,) **JOINT PROPOSAL REGARDING SCHEDULE
AND [PROPOSED] ORDER**
v.) The Honorable Jon S. Tigar
THE SECRETARY OF THE DEPARTMENT)
OF HOMELAND SECURITY,)
Defendant.)

Pursuant to the Court's instruction, the parties to the above-captioned action jointly submit the proposed case schedule, through the class certification hearing:

| <u>SCHEDULE EVENT</u> | <u>DATE</u> |
|---|------------------------------|
| Start of Fact Discovery | December 1, 2015 |
| Deadline for Plaintiff to File Amended Complaint | January 15, 2016 |
| Defendant's Response to Amended Complaint Due | February 15, 2016 |
| Telephonic Further Case Management Conference | April 27, 2016, at 2:00 p.m. |
| Plaintiff's Disclosures Re Class Cert Experts Due (FRCP 26(a)(2)) | May 2, 2016 |

JOINT PROPOSAL REGARDING SCHEDULE AND [PROPOSED] ORDER
NO. 15-CV-02740 JST

| | | |
|----|---|--------------------------------|
| 1 | Defendant's Disclosures Re Class Cert Experts Due (FRCP 26(a)(2)) | July 1, 2016 |
| 2 | Deadline for Class Cert Expert Depositions | September 1, 2016 |
| 3 | Filing Deadline for Plaintiff's Class Certification Motion (under seal, redacted version filed within 30 days) ¹ | October 6, 2016 |
| 4 | Filing Deadline for Defendant's Class Certification Opposition (under seal, redacted version filed within 30 days) | November 3, 2016 |
| 5 | Filing Deadline for Plaintiff's Class Certification Reply (under seal, redacted version filed within 30 days) | December 1, 2016 |
| 6 | Hearing on Class Certification Motion | December 15, 2016 at 2:00 p.m. |
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DATED: November 23, 2015

Respectfully submitted,

BRIAN J. STRETCH
Acting United States Attorney

/s/ Wendy M. Garbers
WENDY M. GARBERS
Assistant United States Attorney
Attorneys for Defendant

DATED: November 23, 2015

MORRIS POLICH & PURDY LLP

/s/ Nicholas M. Wieczorek *
NICHOLAS M. WIECZOREK
Attorneys for Plaintiff

**In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that plaintiff has concurred in the filing of this document.*

¹ Many of the documents regarding the Federal Air Marshal Service's operations contain Sensitive Security Information ("SSI"), as defined by federal regulation, 49 C.F.R. § 1520.5. TSA has a SSI Program Office that reviews court filings for SSI redaction. *See generally* 49 C.F.R. § 1520.5. Otherwise, "records containing SSI are not available for public inspection or copying." 49 C.F.R. § 1520.15. In order to protect this SSI, the parties request that they initially be permitted to file their class certification briefing under seal. Both sides' briefs will then be reviewed by the SSI Program Office for redactions, and publicly-available versions filed within 30 days.

1 [PROPOSED] ORDER
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4 Pursuant to the parties' joint proposal, IT IS SO ORDERED.
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7 Dated: November 30, 2015
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11 THE HONORABLE JON S. TIGAR
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